

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION**

# ISADELLA BELL

**8638 Village of Fondren Dr.**

**Houston, TX 77071**

**Plaintiff,**

**vs.**

## PREMIER RECOVERY GROUP

**PO Box 262**

**Buffalo, NY 14209**

**Defendant.**

**CASE NO.:**

## JURY DEMAND REQUESTED

**VERIFIED CIVIL COMPLAINT**  
**(UNLAWFUL DEBT COLLECTION PRACTICES)**

**VERIFIED COMPLAINT**

ISADELLA BELL (Plaintiff), by her attorneys, THE RIFFE LAW FIRM, P.L.L.C., alleges the following against PREMIER RECOVERY GROUP (Defendant):

## INTRODUCTION

1. Plaintiff's Complaint is based on the Fair Debt Collection Practices Act, 15 U.S.C. 1692 et seq. (FDCPA).

## JURISDICTION AND VENUE

2. Jurisdiction of this court arises pursuant to *15 U.S.C. 1692k(d)*, which states that such actions may be brought and heard before “any appropriate United States district court without regard to the amount in controversy,” and *28*

*U.S.C. 1367* grants this court supplemental jurisdiction over the state claims contained therein.

3. Because Defendant conducts business in Texas, personal jurisdiction is established.
4. Venue is proper pursuant to *28 U.S.C. 1391(b)(2)*.

#### **PARTIES**

5. Plaintiff is a natural person who resides in Houston, Harris County, Texas and is allegedly obligated to pay a debt, and Plaintiff is a "consumer" as that term is defined by *15 U.S.C. 1692a(3)*.
6. Pursuant to the definitions outlined in *15 U.S.C. 1692a(1-6)*, Defendant is a debt collector and sought to collect a consumer debt from Plaintiff which was allegedly due and owing from Plaintiff, and Plaintiff is a consumer debtor.
7. Defendant is a debt collector with an office in Buffalo, New York.
8. Defendant uses instrumentalities of interstate commerce or the mails in any business the principal purpose of which is the collection of any debts, or who regularly collects or attempts to collect, directly or indirectly, debts owed or due or asserted to be owed or due another and is a "debt collector" as that term is defined by *15 U.S.C. § 1692a(6)*.
9. Defendant is a collection agency that in the ordinary course of business, regularly, on behalf of itself or others, engages in debt collection.

### **FACTUAL ALLEGATIONS**

10. Defendant constantly and continuously places collection calls to Plaintiff seeking and demanding payment for an alleged debt.
11. Defendant called Plaintiff and used offensive language and personal verbal attacks during multiple telephone calls in an attempt to collect a debt.
12. Defendant called Plaintiff from telephone number: 866-364-6516 and 800-801-9078.
13. Defendant places collection calls to Plaintiff on telephone number: 832-921-9404.

### **COUNT I DEFENDANT VIOLATED THE FAIR DEBT COLLECTION PRACTICES ACT**

14. Defendant violated the FDCPA based on the following:
  - a. Defendant violated *§1692d* of the FDCPA by engaging in conduct the natural consequence of which is to harass, oppress, or abuse the Plaintiff in connection with the collection of a debt.
  - b. Defendant violated *§1692d(5)* of the FDCPA by causing a telephone to ring and engaging Plaintiff in telephone conversations repeatedly and continuously with the intent to annoy, abuse, and harass Plaintiff.
  - c. Defendant violated *§1692f(1)* of the FDCPA by collecting any amount (including any interest, fee, charge, or expense incidental to the principal obligation) unless such amount is expressly authorized by the agreement creating the debt or permitted by law.

WHEREFORE, Plaintiff, ISADELLA BELL respectfully requests judgment be entered against Defendant, PREMIER RECOVERY GROUP for the following:

15. Statutory damages of \$1000.00 pursuant to the Fair Debt Collection Practices Act, *15 U.S.C. 1692k*,
16. Costs and reasonable attorneys' fees pursuant to the Fair Debt Collection Practices Act, *15 U.S.C. 1692k*
17. Any other relief that this Honorable Court deems appropriate.

**DEMAND FOR JURY TRIAL**

Plaintiff, ISADELLA BELL, requests a jury trial in this case.

Respectfully submitted,

**THE RIFFE LAW FIRM, P.L.L.C.**

/s/ G. Brad Riffe

**G. BRAD RIFFE**

**State Bar # 24062265**

**Attorney for Plaintiff**

**The Riffe Law Firm, P.L.L.C.  
2591 Dallas Parkway, Ste. 300  
Frisco, TX 75034  
Phone: 214-281-8909  
Fax: 888-370-3148  
Email: briffe@riffelawfirm.com**

VERIFICATION OF COMPLAINT AND CERTIFICATION

STATE OF TEXAS

Plaintiff, ISADELLA BELL, states the following:

1. I am the Plaintiff in this civil proceeding.
2. I have read the above-entitled civil Complaint prepared by my attorneys and I believe that all of the facts contained in it are true, to the best of my knowledge, information and belief formed after reasonable inquiry.
3. I believe that this civil Complaint is well grounded in fact and warranted by existing law or by a good faith argument for the extension, modification or reversal of existing law.
4. I believe that this civil Complaint is not interposed for any improper purpose, such as to harass any Defendant(s), cause unnecessary delay to any Defendant(s), or create a needless increase in the cost of litigation to any Defendant(s) named in the Complaint.
5. I have filed this Complaint in good faith and solely for the purposes set forth in it.

Pursuant to 28 U.S.C. § 1746(2), I, ISADELLA BELL, hereby declare (or certify, verify or state) under penalty of perjury that the foregoing is true and correct.

3-2-12  
Date

Isadella Bell  
ISADELLA BELL